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STATE PROCUREMENT OFFICE  
NOTICE OF AND REQUEST FOR EXEMPTION  
FROM CHAPTER 103D, HRS

STATE PROCUREMENT OFFICE  
STATE OF HAWAII

1. TO: Chief Procurement Officer  
2. FROM: Attorney General, Hawaii Criminal Justice Data Center

Department/Division/Agency

Pursuant to §103D-102(b)(4), HRS, and Chapter 3-120, HAR, the Department requests a procurement exemption to purchase the following:

3. Description of goods, services or construction:

This request is for an exemption from Chapter 103D, HRS, to join and to procure technology services from a consortium of states who are building their justice information sharing systems. The Hawaii Integrated Justice Information Sharing Program (HIJIS) in the Hawaii Criminal Justice Data Center, Department of the Attorney General, is partially funded by the U.S. Department of Justice (US DOJ) to build a comprehensive justice information sharing program for Hawaii's state, city, county, and federal law enforcement and public safety community. (See attached for further details.)

4. Name of Vendor: Open Justice Broker Consortium (OJBC)  
Address: 7311 Greenhaven Drive, Suite 145, Sacramento, CA 9583

5. Price: \$85,000.00

6. Term of Contract: From: 7/2/2012

To: 6/30/2013  
per Art. 7/19/12 4:20 pm

7. Prior Exemption Ref. No.

8. Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:  
See attached.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:  
See attached.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:  
See attached.

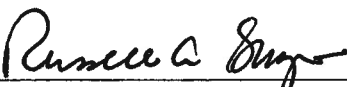
**REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)**

12. A list of agency personnel, by position, who will be involved in the approval process and administration of the contract:		
Name	Position	Involvement in Process
Laureen Uwaine	Assistant Administrator	<input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
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13. Direct inquiries to:	Department: Attorney General, HCJDC Contact Name: Art Williams Phone Number: 808-587-3216 Fax Number: 808-587-3109
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Agency shall ensure adherence to applicable administrative and statutory requirements

14. *I certify that the information provided above is, to the best of my knowledge, true and correct.*

 Department Head <b>Acting Attorney General</b>		6-21-12 Date
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15. Date Notice Posted <u>7/2/12</u>	
The Chief Procurement Officer is in the process of reviewing this request for exemption from Chapter 103D, HRS. Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven calendar days or as otherwise allowed from the above posted date to: <p align="center">           Chief Procurement Officer            State Procurement Office            P.O. Box 119            Honolulu, Hawaii 96810-0119         </p>	
Chief Procurement Officer's comments:  <p>Approval is based on the department's representation that OJBC is the only consortium of states working with the U.S. Department of Justice to integrate the emerging series of national justice information sharing standards among the states. The OJBC is the most experienced source of specialized expertise that can modify components from other states to meet Hawaii's requirements and comply with the national standards. This approval is for the solicitation process only, HRS section 103D-310(c) and HAR section 3-122-112, shall apply (i.e. vendor is required to be compliant on the Hawaii Compliance Express) and award is required to be posted on the Awards Reporting System.</p> <p>If there are any questions, please contact Kevin Takaesu at 586-0568, or kevin.s.takaesu@hawaii.gov.</p>	

16. ☒ **APPROVED**    ☐ **DISAPPROVED**    ☐ **NO ACTION REQUIRED**

 Chief Procurement Officer	<u>7/24/2012</u> Date
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## **ATTACHMENT**

### **Request for Exemption from Chapter 103D, HRS**

#### **Description of Goods, Services, or Construction**

This request is for an exemption from Chapter 103D, HRS, to join and to procure technology services from a consortium of states who are building their justice information sharing systems. The Hawaii Integrated Justice Information Sharing Program (HIJIS) in the Hawaii Criminal Justice Data Center, Department of the Attorney General, is partially funded by the U.S. Department of Justice (US DOJ) to build a comprehensive justice information sharing program for Hawaii's state, city, county, and federal law enforcement and public safety community.

To meet that goal, HIJIS acquired customized server and application software and services through the Open Justice Broker Consortium (OJBC), an organization created by state governments and governed by those states to exchange data among their disparate justice systems by 1) adopting cost-effective common open source, open standards software and design tools; 2) sharing and reusing the products among the states; and 3) implementing and integrating common standards being adopted by the justice community for nationwide information sharing and to support information exchange initiatives of the U.S. DOJ.

#### **Explanation Describing How Procurement by Competitive Means is Either Not Practical or Not Advantageous to the State:**

By pooling resources and experiences, sharing their expertise, and making software products they develop available for other member states to use, the OJBC member states, including Hawaii, significantly shorten time to build such systems and reduce overall development costs. For example, if one member builds a useful software module or series of modules, other members could use those components as is, or tweak them for their own installations and have that application running at a fraction of the normal development time and cost.

The OJBC is the only consortium of states working with the US DOJ to integrate the emerging series of national justice information sharing standards among the states. Justice information sharing professionals in other state agencies and the OJBC technical staff have collaboratively built OJB software components that Hawaii can use for its systems. As the original OJB contractors, the OJBC is the most experienced source of specialized expertise that can modify components from other states to meet Hawaii's requirements and comply with the national standards.

The OJBC staff and member states have a demonstrated track-record of building, integrating, training, and supporting the new US DOJ standards and tools that HIJIS is adopting as part of its mandate from US DOJ: Service Oriented Architecture (SOA), the Global Justice Reference Architecture (JRA), the National Information Exchange Model (NIEM), Global Federated Identity and Privilege Management (GFIPM), Extensible Access Control Markup Language (XACML), and web services.

PE13-001K

In summary, working with another vendor introduces significant risks of developing products not consistent with justice information sharing development standards in other states, of taxing HIJIS staff resources to train a new vendor on national, HIJIS, and HCJDC-specific hardware and software environments, and of requiring considerably more funds to build systems from the ground up compared with reusing existing OJB software components with which other vendors have little experience.

**Details of the Process or Procedures to be Followed in Selecting the Vendor to Ensure Maximum Fair and Open Competition as Practical:**

In the future, once OJBC open standard technologies and national standards are more widely adopted and tested, we can expect to see other contractors who can support projects like this. This continues to be a new and emerging area that for now, only OJBC can deliver the specialized training, the OJBC software, and the OJBC development services that HIJIS needs within its project timeline and budget.

An exemption was approved last year to join the OJBC. The HIJIS Program will continue to rely on membership in the OJBC to be sustainable, so an indefinite exemption is requested.

**A Description of the Agency's Internal Controls and Approval Requirements for the Exempted Procurement:**

The HIJIS project will follow these general procedures when contracting for software application development:

- Review and confirm service specifications and scope of work for requested services
- Work closely with OJBC staff to define roles and responsibilities
- Jointly develop schedules, work product expectations, cost estimates
- HIJIS monitors development activities
- OJBC provides services
- HIJIS tests, reviews, and accepts deliverables

We expect consultants working with HIJIS to have these Minimum Qualifications:

- Knowledge of HIJIS and related HCJDC hardware and software environment
- Knowledge of National Justice Standards, e.g., JRA, NIEM, GFIPM, XACML, etc.
- Knowledge of SOA, web services, and open source software related to integrating tools in Justice Systems